

**Notice of Allowability**

Application No.

10/039,784

Examiner

Brenda Pham

Applicant(s)

FOSTER ET AL.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/26/2001.
2. ☒ The allowed claim(s) is/are 1-35, 37, 39-48, 50-55, 57-59, renumbering as 1-55 respectively.
3. ☒ The drawings filed on 26 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Brenda A. Pham*

8/19/05

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Chun M. Ng, Reg. No. 36,878 on August 18, 2005.

2. The application has been amended as follows:

Claims 36, 38, 49, 56, 60-71 are canceled.

Claim 19, line 11, after "multiple possible destinations", inserted "wherein the analyzing of the contents included in the identified portion includes determining whether at least some of the identified portion include prohibited content; when it is determined that one or more of the identified portions include prohibited content, removing the prohibited content from the received data."

Claim 37, line 1, "claim 36" is amended to "claim 19".

Claim 47, line 12, after "data will be transmitted", inserted wherein the multiple techniques performed in parallel further include formatting the received data in accordance with a second protocol distinct from a first protocol in accordance with which the received data is formatted."

Claim 55, line 11, after "multiple possible destinations" inserted "wherein the computing device is a multi-protocol node on the network, and wherein the multiple

techniques include formatting the received data in accordance with a second protocol distinct from a first protocol in accordance with which the received data is formatted.”

### **REASONS FOR ALLOWANCE**

3. The following is an examiner’s statement of reasons for allowance: the prior art made of record fails to teach or fairly suggests in combination processing at least portions of the received data that are identified as relevant by performing each of multiple techniques in parallel, the multiple techniques including analyzing contents included in at least some of the identified portions in order to determine whether a specified type of content is present; and determining the destination for the received data in a manner so as to load balance multiple possible destinations; wherein the analyzing of the contents included in the identified portions includes determining whether at least some of the identified portions include prohibited content, when it is determined that one or more of the identified portion include prohibited content, removing the prohibited content from the received data.

The prior art further fails to teach in combination determining whether a disallowed type of content is present in at least some of the identified portions of the received data; and load balancing multiple possible destinations in order to determine the destination to which the received data will be transmitted; wherein the multiple techniques performed in parallel further include formatting the received data in accordance with a second protocol distinct from a first protocol in accordance with which the received data is formatted.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cohen et al (US 6,434,618 B1) discloses a programmable network element for packet-switched computer network includes multiple programs can execute in parallel on different packet flows, or they may execute in succession on a single packet flow. The functionalities that can be performed include network address translation for connecting a number of computers to the Internet when only one IP address is available, firewall protection, encrypting and decrypting packet payload to ensure secure communication LANs, and web dispatching for load balancing and fault tolerance purposes.

Wong et al (US 6,363,077) discloses a packet buffer store the packet containing the source and destination address. A packet routing unit determines destination trunked port which includes a subset of network ports and port is coupled to the destination node through a data path. A load balancer selects the destination port associated with packet from the subset and balances the link load.

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Holender (US 5,727,051) discloses method for computations are performed on a computing system, using the load balancing algorithm. This algorithm incorporates the entropy rate function so as to produce a load distribution on virtual paths which is as uniform as possible.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

August 19, 2005

Brenda Pham

*Brenda A. Pham*